

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RE: Susan L. Aversa	:	
Debtor	:	Bankruptcy No. 18-22967 CMB
	:	
Seterus, Inc., as the authorized servicer for	:	Chapter 13
Federal National Mortgage Association	:	
("Fannie Mae"), creditor	:	
Movant	:	
	:	
v.	:	
Susan L. Aversa	:	
Ronda J. Winnecour	:	
Respondents	:	

OBJECTION TO PLAN

Seterus, Inc., as the authorized servicer for Federal National Mortgage Association ("Fannie Mae"), creditor ("Movant"), by its attorney, Heather Riloff, Esquire, hereby objects to confirmation of Debtor's Chapter 13 Plan as follows:

1. Susan L. Aversa, Respondent herein, filed a bankruptcy petition under Chapter 13 of the Bankruptcy Code on July 26, 2018 at Bankruptcy No. 18-22967.

2. Movant is a secured creditor by reason of debtor having executed a mortgage on the premises 2041 E. Homestead Street, Pittsburgh PA 15212 ("Property") to Mortgage Electric Registration Systems, Inc. as a nominee for LoanCity.com on December 13, 2004, which mortgage is recorded in the Department of Records of Allegheny County.

3. The mortgage has since been assigned to movant herein by written assignment which is recorded in the Department of Records of Allegheny County.

4. Movant filed its Proof of Claim on October 4, 2018 at Claim No. 9 with respect to the Property with a total secured claim in the amount of \$90,475.07, arrears in the amount of \$8,514.31, and total monthly payment amount of \$707.94 per month. A copy of the Proof of Claim is attached hereto as Exhibit A.

5. Debtor's Plan proposes to pay \$7,051.13 towards Movant's pre-petition arrears. Said amount will not cover Movant's entire pre-petition arrearage.

6. The Plan as filed is deficient in that it does not provide sufficient funding to pay the total arrears or the total claim now due to Movant pursuant to 11 U.S.C. §1322(b)(5).

7. The Plan is in violation of 11 U.S.C. §1325(a)(5)(B)(ii) in that it fails to provide for the full value of Movant's claim and arrears and monthly payments.

8. Debtor has failed to propose a feasible plan under 11 U.S.C. §1325(a)(6), therefore Movant requests that confirmation of the Chapter 13 Plan be denied in its entirety.

WHEREFORE, Seterus, Inc., as the authorized subservicer for Federal National Mortgage Association ("Fannie Mae"), creditor prays that confirmation of Debtor's Plan as now proposed will be **DENIED**.

/s/Heather S. Riloff, Esquire
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